

211.9129 Cabinet's powers to examine, inspect, and test -- Prohibition upon interfering with inspection.

- (1) The cabinet may examine records of mitigation contractors, measurement contractors, and radon laboratories, including but not limited to conducting inspections of mitigation system installations and measurement locations in order to ensure that radon measurement, mitigation, and laboratory analysis are conducted in accordance with the applicable standard operating procedures.
- (2) The cabinet may test any equipment used for measurement, mitigation, or laboratory analysis or photograph or sketch any portion of a site, building, or equipment involved in measurement, mitigation, or laboratory analysis.
- (3) No person shall use or continue to use, or permit the use or continued use of, any radon mitigation system if an agent or inspector of the cabinet finds that the radon mitigation system was not constructed, installed, or altered in accordance with the applicable mitigation standard operating procedures.
- (4) For purposes of enforcing KRS 211.9101 to 211.9135 or any administrative regulation promulgated by the cabinet pertaining to radon measurement, mitigation, or laboratory analysis, an agent or inspector of the cabinet shall have the power to enter upon premises at all reasonable times to make an inspection, question all persons, and require the production of radon mitigation system plans, sketches, diagnostic information, and other evidence.
- (5) Agents and inspectors of the cabinet shall be empowered to issue a stop order to any owner, agent, or occupant of real property requiring that the radon mitigation system thereon cease operation if that system has been found to be in violation of KRS 211.9101 to 211.9135 or any administrative regulation promulgated thereunder by the cabinet.
- (6) A person shall not interfere with an inspection conducted by an agent or inspector of the cabinet.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 159, sec. 11, effective June 27, 2019. -- Created 2011 Ky. Acts ch. 74, sec. 15, effective June 8, 2011.